

4-180412

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
CMA-CGM (AMERICA), INC., now known  
as CMA CGM (AMERICA) LLC,

08 CIV. 0180 (McMAHON)

Plaintiff,  
- against -

AFFIDAVIT FOR  
JUDGMENT BY  
DEFAULT

SILVER LINE MOTORS, and  
ISMAIL ELABDALLAH,

Defendants.  
-----X

STATE OF NEW YORK )  
COUNTY OF NEW YORK ) SS.:

ALBERT J. AVALLONE, being duly sworn, deposes and says:

1. I am a member of the Bar of this Court and am a member of the firm of the Law Offices of Albert J. Avallone & Associates, attorneys for the plaintiff in the above entitled action, and I am familiar with all the facts and circumstances in this action.
2. I make this affidavit in support of plaintiff's application for the entry of a default judgment against defendants SILVER LINE MOTORS, and ISMAIL ELABDALLAH.
3. This is an action to recover unpaid ocean freight owed by defendants to plaintiff for the transportation of certain goods of the defendants by the plaintiff.
4. Jurisdiction of the subject matter of this action is based on maritime jurisdiction.
5. This action was commenced by the filing of a Summons and Complaint. A copy of the Summons and Complaint was served on defendants

SILVER LINE MOTORS and ISMAIL ELABDALLAH on January 18, 2008 by personal service on Ismail Elabdallah, defendant and agent for service, and a proofs of service were filed. The defendants have not answered the Complaint and the time for the defendants to answer the Complaint has expired.


6. This action originally sought judgment for the liquidated amount of \$99,072.94 plus interest at 6% from the respective dates due, as shown by the annexed Statement, which is justly due and owing, and no part of which has been paid except as therein set forth.

7. The disbursements sought to be taxed have been made in this action or will necessarily be made or incurred herein.

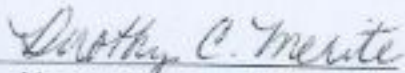
8. The individual defendant is neither an infant nor an incompetent, nor is he a member of the Military Services.

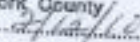
WHEREFORE, plaintiff requests the entry of Default and the entry of the annexed Judgment against defendants.

Dated: New York, New York  
July 9, 2008

  
ALBERT J. AVALLONE

Sworn to before me this  
9th day of July, 2008

  
Notary Public

DOROTHY C. MERITE  
Notary Public, State of New York  
No. 31-4951997  
Qualified in New York County  
My Commission Expires 

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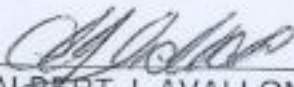
ALBERT J. AVALLONE, being duly sworn, deposes and says:

I am a member of the Bar of the Court and am a member of the  
firm of the Law Offices of Albert J. Avallone & Associates, attorneys for the  
plaintiff. As such, I am familiar with the facts and circumstances in the above  
entitled action.

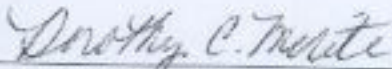
Jurisdiction of plaintiff's claim is based upon maritime jurisdiction.

In my opinion, this Court has jurisdiction over the persons and  
subject matter of this action.

Dated: New York, New York  
July 9, 2008

  
ALBERT J. AVALLONE

Sworn to before me this  
9th day of July, 2008

  
Notary Public

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